

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA**

AT BECKLEY

GREENBRIER HOTEL CORPORATION and
THE GREENBRIER SPORTING CLUB, INC. and
GREENBRIER SPORTING CLUB DEVELOPMENT COMPANY, INC. and
OLD WHITE CHARITIES, INC. and
OAKHURST CLUB LLC,

Plaintiffs,

v.

CIVIL ACTION NO. 5:19-cv-00772
LEAD ACTION

GOODMAN-GABLE-GOULD/ADJUSTERS INTERNATIONAL,

Defendant.

and,

GREENBRIER HOTEL CORPORATION and
THE GREENBRIER SPORTING CLUB, INC. and
GREENBRIER SPORTING CLUB DEVELOPMENT COMPANY, INC. and
OLD WHITE CHARITIES, INC. and
OAKHURST CLUB LLC,

Plaintiffs,

v.

CIVIL ACTION NO. 5:19-cv-00795
CONSOLIDATED ACTION

GOODMAN-GABLE-GOULD/ADJUSTERS INTERNATIONAL,

Defendant.

ORDER

Pending before the Court is Plaintiff Greenbrier Hotel Corporation, The Greenbrier Sporting Club, Inc., Greenbrier Sporting Club Development Company, Inc., Old White Charities,

Inc., and Oakhurst Club LLC's (collectively "Plaintiffs") Motion to Stay Discovery, (ECF No. 66); Plaintiffs' Motion for Oral Argument on Motion for Partial Summary Judgment and Motion to Stay, (ECF No. 67); and Plaintiffs' Motion for Protective Order, (ECF No. 70).

First, Plaintiffs move this Court to stay discovery under Federal Rule of Civil Procedure 26(c) pending the resolution of Plaintiffs' Motion for Partial Summary Judgment and the parties' participation in a Rule 26(f) conference. Defendant Goodman-Gable-Gould/Adjusters International ("Defendant") opposes this motion. Accordingly, for lack of good cause shown, the Court **DENIES** this motion, (ECF No. 66).

Second, Plaintiffs request oral argument on their Motion for Partial Summary Judgment and Motion to Stay Discovery. (ECF No. 67.) Defendant again opposes this motion and argues oral argument is not necessary. The Court finds that these motions can be determined based on the briefing alone. Accordingly, the Court **DENIES** Plaintiffs' Motion for Oral Argument, (ECF No. 67).

Third, Plaintiffs again move this Court to stay discovery pending the resolution of Plaintiffs' Motion for Partial Summary Judgment, the parties' participation in a Rule 26(f) conference, and Plaintiffs First Motion to Stay. Defendant again objects to this motion. Again, for lack of good cause shown, the Court **DENIES** Plaintiffs' Motion to Stay, (ECF No. 70).

Finally, throughout Plaintiff's motions, they repeatedly mention that the parties have never conducted a Rule 26(f) conference due to the multiple transfers this case has undergone. Plaintiffs state it is necessary for the parties to hold a conference because they have not discussed a discovery plan. (ECF No. 66 at 6.) Accordingly, the Court will hold a Rule 26(f) scheduling

conference on **April 8, 2020, at 10:00 a.m.** The call-in information for the call is as follows: 703-724-3100, then dial 4002661# to be placed on hold pending the start of the call.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: March 31, 2020



THOMAS E. JOHNSTON, CHIEF JUDGE